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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) John E. SIMS, Kendal M. MOHLER and Teresa L. BORN

U.S. PTO  
11/712654  
02/28/2007

Serial No.: --to be assigned--

Filed: February 28, 2007

For: METHODS FOR TREATING IL-18 MEDIATED DISORDERS

Docket No.: 3086-US-CNT

**ATTORNEY'S STATEMENT PURSUANT TO 37 CFR § 1.821(e)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The computer readable form in this application is identical with that filed in Application Serial No. 09/981,421, filed October 17, 2001. In accordance with 37 CFR § 1.821(e), please use the last-filed computer readable form filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is included herewith.

In addition, I hereby state that the paper copy of the Sequence Listing in this application and the computer readable form of the Sequence Listing submitted in the parent case are the same and contains no new matter.

Respectfully submitted,

Thomas J. Wrona, Ph.D.  
Attorney/Agent for Applicant(s)  
Registration No.: 44,410  
Phone: (206) 265-7374  
Date: February 28, 2007

Please send all future correspondence to:

Immunex Corporation  
Law Department  
1201 Amgen Court West  
Seattle, Washington 98119-3105  
(206) 265-7000

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**DIVISION - CONTINUATION - CONTINUATION-IN-PART  
APPLICATION TRANSMITTAL FORM**

Attorney Docket No.: 3086-US-CNT

Anticipated Classification Of This Application:  
Class: Subclass:

Prior Application:  
Examiner: D. Jiang

Art Unit: 1646

To the Commissioner for Patents:

This is a request for filing a ☒ continuation ☐ divisional ☐ continuation-in-part application, under 37 CFR 1.53(b), of pending prior application Serial No. 09/981,421 filed on October 17, 2001,  
of John E. Sims, Kendal M. Mohler and Teresa L. Born  
for **METHODS FOR TREATING IL-18 MEDIATED DISORDERS**

**For CONTINUATION or DIVISIONAL APPLNs only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 1b, below, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

1. ☒ Transmitted herewith are:
  - ☒ 32 pages of specification, 2 pages of claim(s) and 1 page of abstract, totaling 35 pages.
  - ☒ 5 sheet(s) of drawings.
  - ☒ 2 pages of Oath or Declaration by the applicant(s):
    - ☐ a. Newly executed (original or copy)
    - ☒ b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional applns. only)
  - ☒ 13 pages of Sequence Listing; computer readable copy (identical to paper copy); sequence statement.
2. ☒ The filing fee is calculated below:

For	Number Filed		Number Extra		Rate	Fee
Total Claims	15	- 20 =	0	x	\$50.00 =	\$ 0.00
Independent Claims	1	- 3 =	0	x	\$200.00 =	\$ 0.00
Multiple Dependent Claims	0			+	\$360.00 =	\$ 0.00
Basic Filing Fee					\$300.00 =	\$300.00
Basic Search Fee					\$500.00 =	\$500.00
Basic Examination Fee					\$200.00 =	\$200.00
Excess Page Fee (per 50)	0	- 100 =	0	x	\$250.00 =	\$ 0.00
Total Filing						\$1,000.00

3. ☒ Please charge Deposit Account No. 09-0089, in the name of Immunex Corporation, in the amount of \$1,000.00. An original and one copy are enclosed.
4. ☒ Throughout the prosecution of this application, if any extension of time is necessary, please consider this a request therefore.
5. ☒ The Commissioner is hereby authorized to charge any additional filing fees which may be required by the accompanying application, any additional fees which may be required during pendency of this application as required by 37 CFR 1.16 or 1.17, or credit any overpayment to Deposit Account No. 09-0089 throughout the prosecution of this application.
6. ☐ Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

**FEE AUTHORIZATION / AMENDMENT TRANSMITTAL**

Attorney's Docket No: 3086-CIP

Serial No.

09/981,421

Filing Date

October 17, 2001

Examiner

D. Jiang

Group Art Unit

1646

In Re Application of John E. Sims et al.

For: METHODS FOR TREATING IL-18 MEDIATED DISORDERS

**TO THE COMMISSIONER FOR PATENTS:**☒ Applicant(s) request(s) the following extension of time under 37 CFR 1.136(a):

- ☐ One month of original due date (\$120.00)  
☐ Two months of original due date (\$450.00)  
☒ Three months of original due date (\$1,020.00)  
☐ Four months of original due date (\$1,590.00)  
☐ Five months of original due date (\$2,160.00)

☒ A response in connection with the matter for which this extension is requested:

- ☐ is filed herewith.  
☐ has been filed.

☒ The response is the filing of a continuing application, the prior application having an express abandonment conditioned on the granting of a filing date to the continuing application.☐ The accompanying papers include amended claims for which no additional fee is required.☐ The accompanying papers include amended claims the fee for which has been calculated as follows:**CLAIMS AS AMENDED**

(1)	(2) Claims remaining After amendment	(3)	(4) Highest number Previously paid for	(5) No. of Extra claims present	(6) Rate	(7) Additional Fee
Total Claims		Minus	=	0	x \$50	= \$ 0.00
Indep. Claims		Minus	=	0	x \$200	= \$ 0.00
<input type="checkbox"/> First Appearance of a multiple dependent claim					+ \$360	= \$ 0.00
Total Additional Fee for this Amendment						\$ 0.00

\* If the entry in column 2 is less than the entry in column 4, write "0" in column 5.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

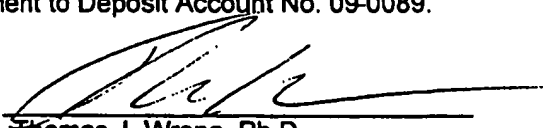
The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col 1. of a prior amendment or the number of claims originally filed.

☐ The following other fees are incurred by the accompanying papers.☐ Other: \_\_\_\_\_☒ Please charge Deposit Account No. 09-0089 in the name of Immunex Corporation in the amount of \$1,020.00. A duplicate copy of this petition is attached.☒ If an additional extension of time is required, please consider this a request therefore.☒ The Commissioner is hereby authorized to charge any additional fees which may be required by the accompanying papers, or credit any overpayment to Deposit Account No. 09-0089.

Please Send Future Correspondence To:

**22932**

Immunex Corporation  
Law Department  
1201 Amgen Court West  
Seattle, Washington 98119-3105  
(206) 265-7000

  
Thomas J. Wrona, Ph.D.  
Attorney/Agent for Applicants  
Registration No.: 44,410  
Phone: (206) 265-7189  
Date: February 28, 2007

**CERTIFICATE OF FACSIMILE TRANSMISSION**

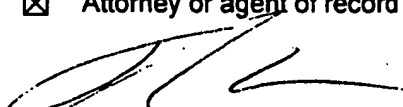
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below.

Signed:  Date: Feb. 28, 2007  
Nanci M. Kertson

**COPY**

7. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by § 1.138 and before payment of base issue fee.)
- 7a. ☐ New formal drawings are enclosed.
8. ☐ Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 USC 119.
- 8a. ☐ The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_.
9. ☒ The prior application is assigned of record to IMMUNEX CORPORATION.
10. ☐ A preliminary amendment is enclosed.
11. ☒ Also enclosed: Certificate of Mailing by Express Mail; Application Data Sheet, Information Disclosure Statement; Form PTO-1449, Courtesy copy of Extension of Time for parent application; Postcard.
12. ☐ Other: \_\_\_\_\_
13. ☒ The power of attorney in the prior application is to: IMMUNEX CORPORATION
- a. ☐ The power appears in the original papers in the prior application.
- b. ☒ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
14. ☒ Address all future communications to Thomas J. Wrona, Ph.D. at the address below.

Signator: ☐ Assignee of complete interest  
☒ Attorney or agent of record

  
Thomas J. Wrona, Ph.D.  
Attorney/Agent for Applicant(s)  
Registration No.: 44,410  
Phone: (206) 265-7374  
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